

Posted 6/1/2020 SBurgas

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Meeting Notice
Thursday, June 4, 2020, 7:30 PM

Join Zoom Meeting
<https://us02web.zoom.us/j/87566498320?pwd=TitvTXprLzhQa3lkbnl0eWlzb3Y4QT09>
Meeting ID: 875 6649 8320
Computer/Web Link Password: 9cPxmj

OR Dial by your location
+1 646 876 9923 US
Meeting ID: 875 6649 8320
Telephone Password: 340304

RECEIVED
VERNON TOWN CLERK
20 JUN - 1 AM 11:40

AGENDA

1. Call to Order & Roll Call by Roland Klee, Chairman
2. Administrative Actions/Requests
 - 2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #5 "Other Business" requires Commission vote
 - 2.2 Approval of the Minutes from the May 21, 2020 meeting
 - 2.3 Communications received NOT related to Agenda items, if any
3. New Application(s) for receipt, if any:
4. Public Hearing and Action on Application
 - 4.1 **PZ 2020-07** is an application of A. Vets Real Estate LLC requesting a zone change from Commercial (C) to Industrial (I) for a 1.19-acre parcel located at 965 Hartford Tpke (Assessor ID 26, Block 72, Parcel 0031H) and a .43-acre portion of a parcel located at 933 Hartford Tpke (Assessor ID 26, Block 72, Parcel 0031J).
5. 8-24 Referrals
6. Other Business/Discussion
7. Adjournment

Roland Klee, Chairman
Planning & Zoning Commission

MINUTES

TOWN OF VERNON
Planning & Zoning Commission (PZC)

Thursday, May 21, 2020, 7:30 PM

Via Zoom Audio Teleconference

DRAFT MINUTES

RECEIVED
VERNON TOWN CLERK
20 JUN - 1 AM 11:40

1. Call to Order & Roll Call by Roland Klee, Chairman at 7:31 PM.
 - Regular members present: Roland Klee, Mike Mitchell, Wes Shorts, and Jesse Schoolnik
 - Alternate Member: Robin Lockwood sitting for Iris Mullan
 - Absent Members: Joseph Miller, Susan Reudgen and Iris Mullan
 - Staff present: George McGregor, Town Planner
 - Recording secretary: Jill Rocco
2. Administrative Actions/Requests
 - 2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #5 "Other Business" requires Commission vote

Robin Lockwood made a motion to ADOPT the Agenda as presented. Jesse Schoolnik seconded and the motion carried unanimously.
 - 2.2 Approval of the Minutes from the May 7, 2020 meeting

Mike Mitchell made a motion to APPROVE the Minutes. Robin Lockwood seconded and the motion carried unanimously.
 - 2.3 Communications received NOT related to Agenda items, if any
 - 2.3.1 Governors Executive Order 7MM regarding May 20, 2020 Reopening

George McGregor, Town Planner spoke in regards to Governors Executive Order 7MM regarding May 20, 2020 Reopening

Discussion ensued
3. New Application(s) for receipt, if any:

None
4. Public Hearing and Action on Application
 - 4.1 Application [PZ-2020-06] of Greg McCracken for a Special Permit pursuant to Section 15 of the Town of Vernon Zoning Regulations for the grading and removal of material in excess of 50 cubic yards and for the disturbance of more than one-half (1/2) acre of land at 195 West St. (Assessor's ID: 25, Block 0065, Parcel 00035).

- Chairman Roland Klee read the following teleconference rules into the record:
 1. Any member of the public who wishes to provide public comment may participate remotely via computer with a microphone and ZOOM link or via telephone call-in number
 2. We ask that all participants "MUTE" their phones and that the meeting organizer may mute participants if excessive noise or feedback interrupts the meeting.
 3. Speakers are encouraged to use the ZOOM Chat function to alert the host that they would like to speak.
 4. At the appropriate time, the Chairman will call for public comment. Speakers should unmute their phones by pressing *6 and then clearly identify their name and address.
 5. Speakers should direct their comments through the Chairman
 6. Please be patient.
- Town Planner George McGregor read the legal notice into the record.
- Legal notice was published in the Journal Inquirer on May 9, 2020 and May 16, 2020.
- Town Planner George McGregor explained the details of the application
- Attorney Gregory McCracken of Jacobs, Walker, Rice & Barry, LLC spoke on behalf of the applicants Chirag B. and Jalpa C. Thaker.
- Applicant Chirag B. Thaker of 195 West St. spoke in regards to the application.
- Luis Valentin of 58 Daryl Drive spoke in favor.
- Ann Nevelos of 144 Daryl Drive, spoke in favor.
- Dr. Barnet Baron of 126 Daryl Drive, spoke in favor.
- Attorney Purnell, on behalf of Strong Family Farm, spoke with concerns regarding A2 survey (Exhibit A) in opposition.
- Ann Letendre of 29 Gottier Drive spoke in regards to the A2 survey (Exhibit A).
- Attorney Gregory McCracken responded to comments.
- Discussion ensued.
- Michael Mitchell made a motion to close the Public Hearing at 8:15 PM.
- Wes Shorts seconded and the motion carried unanimously.

Jesse Schoolnik moved that the Planning and Zoning Commission Approve PZ-2020-06, 195 West St., a Special Permit pursuant to Section 15 for the removal, excavation, and grading in excess of 50 cubic yards of earth and the disturbance of more than one-half acre of land. This approval is based upon a finding that the application meets the special permit requested criteria set forth in Section 15 and Section 17.3.1, and subject plan prepared by Datum Engineering & surveying, dated April 7, 2020, Sheets 1 & 2 with the condition they stay within the boundaries.

Mike Mitchell seconded and the motion carried unanimously.

5. 8-24 Referrals

None

6. Other Business/Discussion

Roland Klee had a question regarding Governors Executive Order 7MM regarding May 20, 2020 reopening.
Discussion ensued

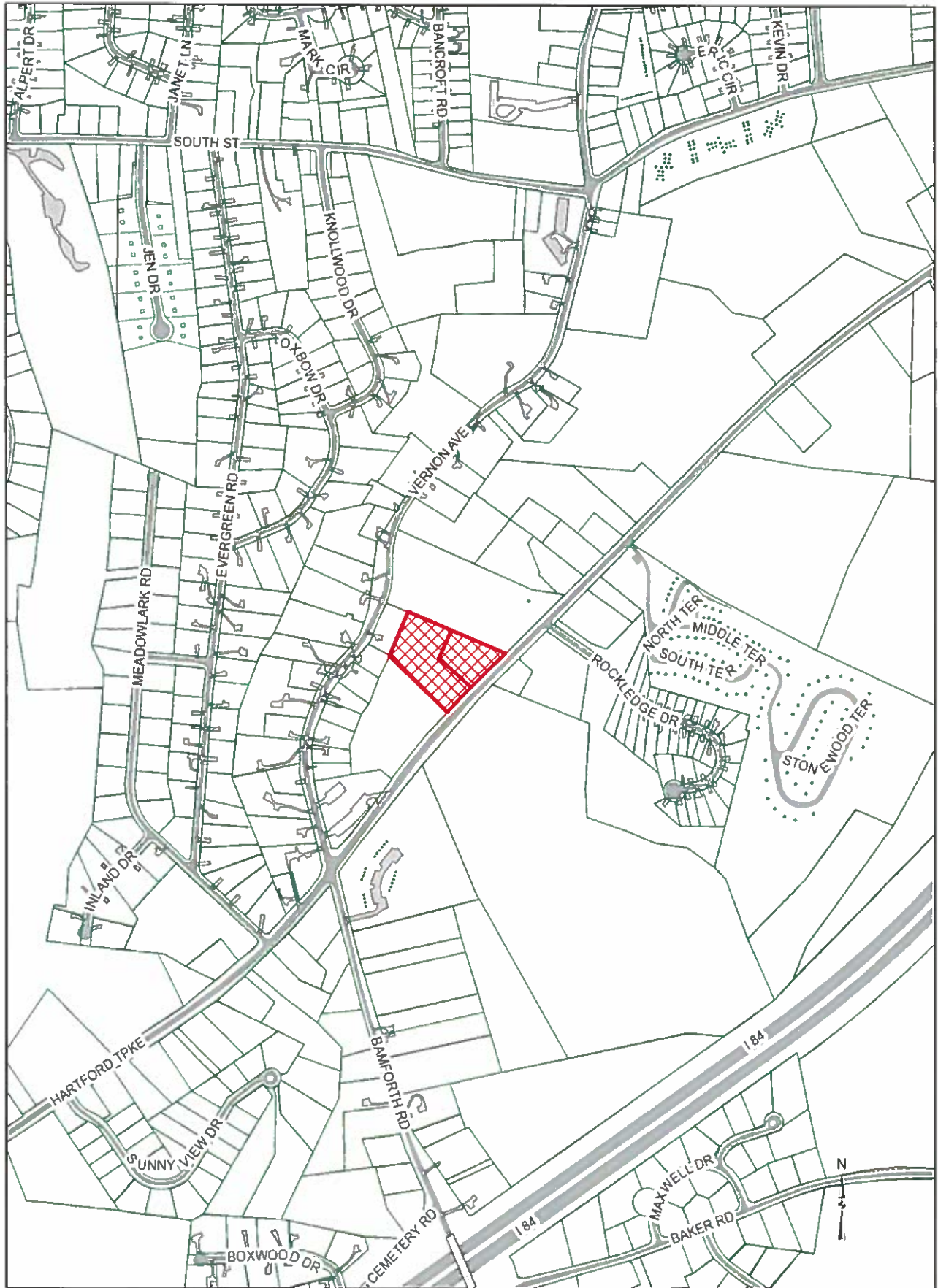
7. Adjournment

Robin Lockwood made a motion to adjourn at 8:20 PM. Wes Shorts seconded and the motion carried unanimously.

Jill Rocco
Recording Secretary

APPLICATION
(PZ-2020-07)

PZ-2020-07 933(p) & 965 Hartford Tpke.



PZ 2020-07

JACOBS, WALKER, RICE & BARRY, LLC

ATTORNEYS AT LAW

146 MAIN STREET

MANCHESTER, CONNECTICUT 06042

TELEPHONE (860) 646-0121

FAX (860) 645-6229

www.jwrb.com

May 6, 2020

MICHAEL J. RICE
DAVID M. BARRY, JR.
MARIA K. TOUGAS
GREGORY W. McCRACKEN
ALEXANDRA B. BOWEN
BRUCE P. FADER

RECEIVED

LEONARD JACOBS (RETIRED 2017)
RONALD JACOBS
1927-2017

TOWN PLANNERS OFFICE
15 NORTH MAIN STREET
SUITE 100
WEST HARTFORD, CT 06107

HAND DELIVERED

Roland Klee, Chairperson
Town of Vernon Planning and Zoning Commission
55 West Main Street, 2nd Floor
Vernon, CT 06066
ATTN: George McGregor, Town Planner

Re: Zone Change Application – Commercial (C) to Industrial to (I)
Applicant: A.Vets Real Estate, LLC
Properties: Property No. 1 - 965 Hartford Turnpike
Owner: A. Vets Real Estate, LLC
Property No. 2 - Portion (0.42 acres) of 933 Hartford Turnpike (located to rear of Property No. 1)
Owner: JAJL LLC

Dear Mr. Klee, Commission Members, and Mr. McGregor:

On behalf of my client, A.Vets Real Estate, LLC, I wish to submit the attached Application for site specific changes of the zoning district and map for the subject properties. The Application is seeking a zone change from Commercial (C) to Industrial (I) for Property No. 1, which is owned by the Applicant, and a portion (0.42 acres) of Property No. 2, which is owned by JAJL LLC. Property No. 2 is located directly to the rear of Property No. 1. The Applicant intends to purchase Property No. 2 and merge it with Property No. 1.

In support of the Application, please find enclosed:


1. A check in the amount of \$268 (\$200 for the Zone District Change, \$60 for State mandated fee, and \$8 for property abutter mailings), paid to the order of the Town of Vernon.
2. Five (5) copies of the Zone Change Map prepared by Gardner & Peterson Associates, LLC, dated April 14, 2020, Sheet No. 1 of 1.
3. List of Property Owners Within 200' of Subject Properties, with mailing labels.
4. Legal Descriptions of each of Subject Properties.

I would appreciate that you place the Zone Change Application on the agenda of the next available Planning and Zoning Commission meeting.

Please do not hesitate to contact me if you have any questions.

Thank you.

Respectfully,
JACOBS, WALKER, RICE & BARRY, LLC

A handwritten signature in black ink, appearing to read "Bruce Fader", with a long horizontal flourish extending to the right.

Bruce Fader

Attachments

Cc: A. Vets Real Estate, LLC (w/ attach.)
Attorney John McHugh, on behalf of JAJL LLC (w/ attach.)
Mark Peterson. P.E. , Gardner & Peterson (w/attach.)

TOWN OF VERNON PLANNING & ZONING COMMISSION (PZC)

APPLICATION

This form is to be used to apply to the Vernon Planning & Zoning Commission (PZC) for a change of zoning district, amendment of the Zoning Regulations, Site Plan of Development (POD), Special Permit(s), amendment of the Subdivision Regulations, and/or approval of a (re) subdivision, or DMV location approval. Provide all the information requested.

The applicant must be the property owner, the property owner's agent, the Town of Vernon, or someone with a direct financial interest in the subject property; said interest shall be explained and written permission for this application must be obtained from the property owner and submitted with this application if the applicant is not the property owner (ZR Section 2.3).

The list of approvals and the references to sections of the Regulations are for informational purposes only to assist with preparation of the PZC application and are not a definitive statement of the sole requirements that may apply to a specific project.

The applicant understands that the application is complete only when all information and documents required by the PZC have been submitted and, further, that any approval by the PZC relies upon complete and accurate information being provided by the applicant. Incorrect information provided by the applicant may make the approval invalid. The PZC may require additional information to be provided by the applicant in the course of reviewing the application and during the monitoring of the project.

RECEIVED

Provide all the information requested:

MAY 06 2020

I. APPLICANT:

Name: A. VETS REAL ESTATE, LLC TOWN PLANNERS OFFICE
Title: C/O ATTORNEY BRUCE FADER
Company: JACOBS, WALKER, RICE & BARRY, LLC
Address: 146 MAIN ST.
MANCHESTER, CT 06042
Telephone: 860-646-0121 Fax: 860-645-6229
E-mail: bfader@jwrb.com

II. PROPERTY OWNER (S): - Property No. 1
965 HARTFORD Turnpike

Name: A. VETS REAL ESTATE, LLC
Title: ATTN. ANA Ciotto
Company: _____
Address: 965 HARTFORD Turnpike
VERNON, CT 06066
Telephone: 860-922-9724 Fax: _____
E-mail: Ana@america-vets.com

TOWN OF VERNON PLANNING & ZONING COMMISSION (PZC)

APPLICATION

This form is to be used to apply to the Vernon Planning & Zoning Commission (PZC) for a change of zoning district, amendment of the Zoning Regulations, Site Plan of Development (POD), Special Permit(s), amendment of the Subdivision Regulations, and/or approval of a (re) subdivision, or DMV location approval. Provide all the information requested.

The applicant must be the property owner, the property owner's agent, the Town of Vernon, or someone with a direct financial interest in the subject property; said interest shall be explained and written permission for this application must be obtained from the property owner and submitted with this application if the applicant is not the property owner (ZR Section 2.3).

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The applicant understands that the application is complete only when all information and documents required by the PZC have been submitted and, further, that any approval by the PZC relies upon complete and accurate information being provided by the applicant. Incorrect information provided by the applicant may make the approval invalid. The PZC may require additional information to be provided by the applicant in the course of reviewing the application and during the monitoring of the project.

Provide all the information requested:

I. APPLICANT:

Name: _____
Title: _____
Company: _____
Address: _____
Telephone: _____ Fax: _____
E-mail: _____

II. PROPERTY OWNER (S):

Name: JAIL LLC
Title: c/o Attorney John P. McHugh
Company: CRAMER, FITZGERALD & MEANEY
Address: 1010 Wethersfield Avenue, Suite 206
HARTFORD, CT 06114
Telephone: 860-522-9100 Fax: 860-522-3379
E-mail: jmchugh@cfmlawfirm.com

Property No. 2
933 Hartford Turnpike

III. PROPERTY - Property No. 1

Address: 965 HARTFORD TURNPIKE

Assessor's ID Code: Map # Block # Lot/Parcel # TAX ID 26-0072-0031H

Land Record Reference to Deed Description: Volume: 2396 Page 101

Does this site contain a watercourse and/or wetlands? (See the Inland Wetlands Map and IWR Section 2.14, 2.15, 2.23, 2.24, 3.11; 4)

☒ No

☐ Yes

☐ No work will be done in regulated area

☐ Work will be done in the regulated area

☐ IWC application has been submitted

☐ IWC application has not been submitted

Zoning District CURRENT: Commercial Proposed: Industrial

Is this property located within five hundred (500) feet of a municipal boundary?

☒ No

☐ Yes:

☐ Bolton
☐ Coventry
☐ Ellington
☐ Manchester
☐ South Windsor
☐ Tolland

Check if Historic Status Applies: N/A

☐ Located in historic district:

☐ Rockville
☐ Talcottville

☐ Individual historic property

III. PROPERTY - Property No. 2

Address: 933 HARTFORD TURNPIKE

Assessor's ID Code: Map # ___ Block # ___ Lot/Parcel # ___ TAX ID 26-0072-0031J

Land Record Reference to Deed Description: Volume: 1386 Page 327

Does this site contain a watercourse and/or wetlands? (See the Inland Wetlands Map and IWR Section 2.14, 2.15, 2.23, 2.24, 3.11; 4)

☐ No

☒ Yes

BUT NO IWC APPLICATION IS REQUIRED BECAUSE NO SITE PLAN FOR PZC APPROVAL IS SUBMITTED AT THIS TIME.

☐ No work will be done in regulated area

☐ Work will be done in the regulated area

☐ IWC application has been submitted

☐ IWC application has not been submitted

Zoning District CURRENT: COMMERCIAL Proposed For Portion shown

Is this property located within five hundred (500) feet of a municipal boundary? ON ZONE CHANGE MAP - INDUSTRIAL

☒ No

☐ Yes:

- ☐ Bolton
- ☐ Coventry
- ☐ Ellington
- ☐ Manchester
- ☐ South Windsor
- ☐ Tolland

Check if Historic Status Applies: N/A

☐ Located in historic district:

- ☐ Rockville
- ☐ Talcottville

☐ Individual historic property

IV. PROJECT

Project Name: A. VETS REAL ESTATE, LLC ZONE CHANGE

Project Contact Person:

Name: ATTORNEY BRUCE FADER

Title: _____

Company: JACOBS, WALKER, Rice & Barry, LLC

Address: 146 MAIN ST.

MANCHESTER, CT 06042

Telephone: 860-646-0121 Fax: 860-645-6229

E-mail: bfader@JWRB.com

V. PZC APPLICATION PROJECT SUMMARY

Describe the project briefly in regard to the purpose of the project and the activities that will occur. Attach to this application a complete and detailed description with maps and documentation as required by the "Town of Vernon Zoning Regulations" and "Town of Vernon Subdivision Regulations".

Purpose: PLEASE SEE ATTACHED "Project Narrative"
General Activities: (Ditto)

VI. APPROVAL (S) REQUESTED

☐ Subdivision or Resubdivision

- ☐ Subdivision (Sub. Sec. 4, 5, 6)
- ☐ Resubdivision (Sub. Sec. 4, 5, 6)
- ☐ Minor modification of subdivision or resubdivision (Sub. Sec. 4.6)
- ☐ Town acceptance of a road (Sub. Sec. 6.5-6.8 & 9)
- ☐ Amendment of Subdivision Regulations (Sub. Sec. II)

See Subdivision Regulations Sec. 4 for application fee schedules.

☐ Soil Erosion and Sediment Control Plan (ESCP) (ZR Sec. 2.117; 18) (Sub. 6.14)

☐ Site Plan of Development (POD) (ZR Sec. 14)

- ☐ POD approval (ZR Sec. 14.1.1.1; 14.1.2)
- ☐ Modification of an approved POD (ZR Sec. 14.1.1.1)
- ☐ Minor modification of a site POD (ZR Sec. 14.1.1.2)

☐ Special Permit(s) (ZR Section 17.3)

- ☐ Special Permit in an aquifer area (ZR Sec. 2.4; 2.5; 2.119; 20)
- ☐ Special Permit for excavation (ZR Sec. 2.52; 2.79; 15)
- ☐ Special Permit for use in a district (ZR Sec. 1.2 & 4)
- ☐ Special Permit for lot coverage (ZR Sec. 1.2; 2.61; 2.68; 4)
- ☐ Special Permit for signs (ZR Sec. 1.2; 2.106-115; 4; 16; 21.7)
- ☐ Special Permit for parking (ZR Sec. 4; 12; 21.4)
- ☐ Special Permit for elderly housing (ZR Sec. 2.60; 17.4)
- ☐ Special Permit for Bed & Breakfast (B & B) (ZR Sec. 2.9; 17.3.4)
- ☐ Special Permit for serving alcohol (ZR Sec. 2.103, 17.1)
- ☐ Special Permit for massage (ZR Sec. 2.76-78; 4)
- ☐ Special Permit for telecommunications (ZR Sec. 2.21; 3.23 & 23)
- ☐ Special Permit for dumps and/or incinerators (ZR Section 8)

____ Other Special Permit(s). Cite ZR Section and describe activity:

____ Special Permit modifications (ZR Sec. 17.3.2.2). Cite ZR Section and describe activity.



Zoning:



____ Site specific change of zoning district and map (ZR Sec. 1.2; 1.3; 4)

____ Amendment of Zoning Regulations (Sec. 1.2; 1.3; 4)

____ Site specific change to the Aquifer Protection Overlay Zone Map (ZR Sec. 20.3.2)

See Zoning Regulations Section 22 for application fee schedules.


____ Dealer or Repairer License (location approval for DMV)

Per Connecticut General Statutes (CGS) Section 8-26: If an application submitted to the Planning & Zoning Commission (PZC) involves any activity or area regulated under the wetlands statutes, an application for this activity must be filed with the Inland Wetlands Commission (IWC) on or before the day the Planning & Zoning Commission (PZC) application is filed by the applicant. (IWR Sec. 3.11)

Per CGS Sec. 8-31: If the proposed activity is to take place within a watershed of a Water company, the applicant is required to file a copy of the application with the Water Company via certified mail within seven (7) days of the date of the application. (IWR Sec. 4.3.6).

The applicant, undersigned, has reviewed the "Town of Vernon Planning and Zoning Regulations and Inland Wetlands and Watercourses Regulations" and has prepared this application with complete and accurate information:

Property Owner, Applicant, or Applicant's Agent:



Signature A. VETS Real Estate, LLC Date 5/5/2020
ANNA Ciotto, MEMBER
[PLEASE NEXT PAGE FOR SIGNATURE]

Signature Date
JEFF BURNS DMD, MEMBER for JALL, LLC

TO BE FILLED IN BY THE PLANNING DEPARTMENT

Date Application Submitted _____

Date Application Received by Commission _____

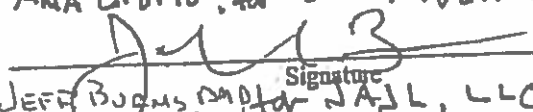
PZC File: _____

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Per CGS Sec. 8-31: If the proposed activity is to take place within a watershed of a Water company, the applicant is required to file a copy of the application with the Water Company via certified mail within seven (7) days of the date of the application. (TWR Sec. 4.3.6).

The applicant, undersigned, has reviewed the "Town of Vernon Planning and Zoning Regulations and Inland Wetlands and Watercourses Regulations" and has prepared this application with complete and accurate information:

Property Owner, Applicant, or Applicant's Agent:

ANA Ciotto, for Signature	A. VETS REAL ESTATE, LLC	Date
		5-5-2022
JEFF BURNS, for Signature	JAL, LLC	Date
MEMBER		

TO BE FILLED IN BY THE PLANNING DEPARTMENT

Date Application Submitted _____

Date Application Received by Commission _____

PZC File: _____

Project: A. Vets Real Estate, LLC Zone Change (Commercial to Industrial)
Applicant: A. Vets Real Estate, LLC
Properties: Property No. 1 - 965 Hartford Turnpike
 Owner: A. Vets Real Estate, LLC ("A.Vets")
 Property No. 2 - Portion (0.42 acres) of 933 Hartford Turnpike (located to rear of
 965 Hartford Turnpike)
 Owner: JAJL LLC ("JAJL")

PROJECT NARRATIVE

A.Vets is seeking a zone change of the property that it owns at 965 Hartford Turnpike and of a portion (0.42 acres) of the property that JAJL owns at 933 Hartford Turnpike. This portion is located to the rear of A.Vets' property, as noted in the Zone Change Map prepared by Gardner & Peterson Associates, LLC which is being submitted with the Application. This rear portion is vacant. A.Vets' intends to purchase it and then merge it into a single consolidated parcel with its property at 965 Hartford Turnpike.

The A.Vets' property is presently being used as the office of a building contractor (American Vets Abatement Experts, LLC, the owners of which are the same as A.Vets), with parking of its vehicles and storage of its equipment. A conceptual site plan (also prepared by Gardener & Peterson) will be submitted to provide general information about the applicant's intended land use activities, such as increasing the footprint of the existing garage and including dumpster pads with fencing. The applicant is seeking a zone change to Industrial so that it may conduct open storage, which is permitted under the zoning regulations at section 4.10.2.6. If the zone change is approved, the applicant will submit, under a separate zoning application, a more detailed site plan, with a stormwater management system, parking improvements and landscaping, among other items.

Prior to A.Vets' ownership of 965 Hartford Turnpike, the property was used by an oil delivery service company.

LIST OF PROPERTY OWNERS WITHIN 200 FEET* OF SUBJECT PROPERTIES

Project: A. Vets Real Estate, LLC Zone Change (Commercial to Industrial)
Applicant: A. Vets Real Estate, LLC
Subject Properties: Property No. 1 - 965 Hartford Turnpike
Property No. 2 - Portion (0.42 acres) of 933 Hartford Turnpike (located to rear of 965 Hartford Turnpike)

*Radius shown on Zone Change Map prepared by Gardner & Peterson, attached.

1. N/F JAJL LLC
c/o DR. JEFF BURNS
933 HARTFORD TURNPIKE
VERNON, CT 06066
2. N/F JAJL LLC
933 HARTFORD TURNPIKE
VERNON, CT 06066
3. N/F STEVEN & DOLORES SPIVEY
297 VERNON AVENUE
VERNON, CT 06066
4. N/F KEITH M. MONTGOMERY
293 VERNON AVENUE
VERNON, CT 06066
5. N/F ESTATE OF JOSEPH BIELECKI
C/O CARA S. RICHERT, ESQ. ADMIN
PO BOX 51
ELLINGTON, CT 06029
6. N/F NORMAN NICOTERA
942 HARTFORD TURNPIKE
VERNON, CT 06066
7. N/F JAMES D. GIULIETTI & JOANNE F. HOLLIS
& ANITA J. GIULIETTI & ESTATE OF JOHN GIULIETTI
325 KELLY ROAD OFFICE
VERNON, CT 06066
8. N/F VERNON VILLAGE LLC
325 KELLY ROAD, BOX 120
VERNON, CT 06066-3939

MAILING LABELS

N/F JAJL LLC
933 HARTFORD TURNPIKE
VERNON, CT 06066

N/F JAJL LLC
c/o DR. JEFF BURNS
933 HARTFORD TURNPIKE
VERNON, CT 06066

N/F STEVEN & DOLORES SPIVEY
297 VERNON AVENUE
VERNON, CT 06066

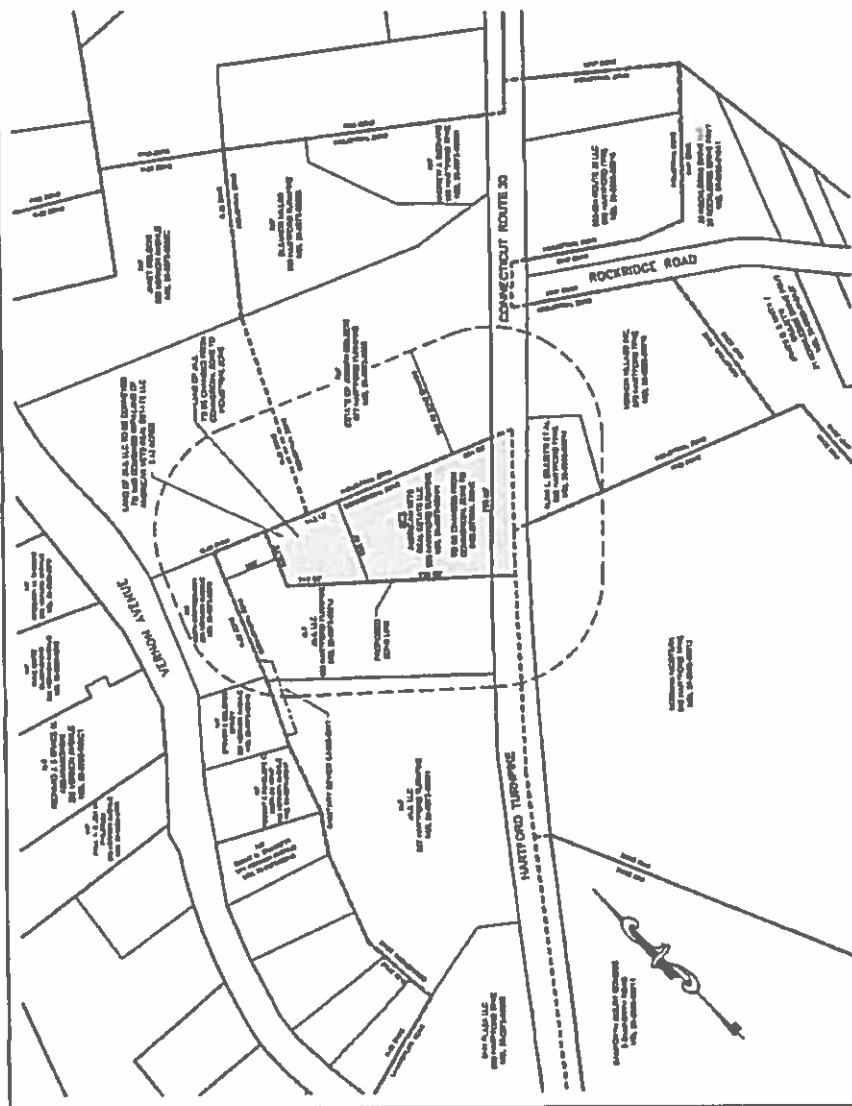
N/F KEITH M. MONTGOMERY
293 VERNON AVENUE
VERNON, CT 06066

N/F ESTATE OF JOSEPH BIELECKI
C/O CARA S. RICHERT, ESQ. ADMIN
PO BOX 51
ELLINGTON, CT 06029

N/F NORMAN NICOTERA
942 HARTFORD TURNPIKE
VERNON, CT 06066

N/F JAMES D. GIULIETTI & JOANNE F. HOLLIS & ANITA J.
GIULIETTI & ESTATE OF JOHN GIULIETTI
325 KELLY ROAD OFFICE
VERNON, CT 06066

N/F VERNON VILLAGE LLC
325 KELLY ROAD, BOX 120
VERNON, CT 06066-3939



LEGEND
 Boundary
 Zone Boundary
 Contour Line Boundary

DATA ACCUMULATION PLAN
 ZONE CHANGE MAP
 FROM COMMERCIAL TO INDUSTRIAL ZONE
 PREPARED FOR
 AMERICAN VETS
 833 N. 900 HARTFORD TURNPIKE
 HARTFORD, CONNECTICUT 06105
 GLADNEY & PETERSON ASSOCIATES, LLC
 11111 HARTFORD TURNPIKE
 HARTFORD, CONNECTICUT 06105

NOTES:
 1. The map shows the location of the study area within the larger regional context.
 2. The map shows the location of the study area within the larger regional context.
 3. The map shows the location of the study area within the larger regional context.
 4. The map shows the location of the study area within the larger regional context.
 5. The map shows the location of the study area within the larger regional context.



LEGAL DESCRIPTIONS OF SUBJECT PROPERTIES

Project: A. Vets Real Estate, LLC Zone Change (Commercial to Industrial)
Applicant: A. Vets Real Estate, LLC
Properties: Property No. 1 - 965 Hartford Turnpike - Owner: A. Vets Real Estate, LLC
Property No. 2 - Portion (0.42 acres) of 933 Hartford Turnpike (located to rear of 965 Hartford Turnpike) - Owner: JAJL LLC

PROPERTY NO. 1 – 965 Hartford Turnpike

Please see attached legal description from the Warranty Deed recorded at Volume 2396, Page 101 of the Vernon Land Records.

PROPERTY NO. 2 – Portion of 933 Hartford Turnpike

The piece or parcel of land shown as “Land Of JAJL LLC To Be Conveyed To And Combined With Land of A. Vets Real Estate LLC 0.42” on a map or plan entitled, “Data Accumulation Plan Zone Change Map From Commercial To Industrial Zone Prepared For A. Vets Real Estate LLC 933 & 965 Hartford Turnpike Vernon, Connecticut Gardner & Peterson, LLC Tolland, Connecticut Date 04-15-2020 Sheet No. 1 of 1.”

The premises is a portion of the property shown on the Fiduciary's Deed recorded at Volume 1386, Page 327 of the Vernon Land Records.

965 Hartford Turnpike

Schedule "A"

A piece or parcel of land known as Parcel "A" on a map entitled Property of William B and Helen M. Kama, Vernon, Connecticut, Scale 1" = 50', July 8, 1987, Revised August 4, 1997 To Deheats Parcel "A", Revised October 3, 1997 Parcel "A", Stanley W. Szesztowicz, 623 Tidgewick Road, Vernon, Connecticut, which map of plan is on file or to be filed in the office of Vernon Town Clerk which piece or parcel is more particularly described as follows:

Beginning at a point in the Westerly line of Connecticut Route 30 (Hartford Turnpike) which point is marked by an iron pin marking the Northeast corner of the parcel herein conveyed, thence running S 56° 18' 05" W along the Westerly line of Hartford Turnpike a distance of Two Hundred Fifty (250.00) feet to a point, which point is located Forty-three and 28/100 (43.28) feet from a CHD monument in the Westerly line of Hartford Turnpike, thence turning and running N 36° 27' 00" W along land now or formerly of the Grantees a distance of Two Hundred Twenty-six (226.00) feet to a point, thence turning and running N 35° 34' 20" E along land now or formerly of the Grantees a distance of One Hundred Fifty-five and 41/100 (155.41) feet to a point marking the Northwest corner of the parcel herein conveyed, thence turning and running S 36° 01' 50" E along land now or formerly of Buelnick, a distance of Three Hundred Four (304.00) feet to the point or place of beginning.

Said parcel conveyed herein contains One and 19/100 (1.19) acres.

This parcel is conveyed along with the right to drain storm water as it exists at the time of this conveyance.

RECORDED IN
VERNON LAND RECORDS
By William E. O'Brien
VERNON TOWN CLERK
ON Apr 23, 2015 AT 10:24A

GARDNER & PETERSON ASSOCIATES, LLC

PROFESSIONAL ENGINEERS • LAND SURVEYORS

178 HARTFORD TURNPIKE
TOLLAND, CONNECTICUT 06084

KENNETH R. PETERSON, L.S.
ERIC R. PETERSON, P.E., L.S.
MARK A. PETERSON, P.E.

TELEPHONE: (860) 871-0808

Info@GardnerPeterson.com
www.GardnerPeterson.com


May 19, 2020

Mr. George McGregor
Town Planner
Town of Vernon
55 West Main Street, 2nd Floor
Vernon, Connecticut 06066

Re: A. Vets Real Estate, LLC
933 & 965 Hartford Turnpike
Zone Change Application-Traffic Impact Statement

Dear Mr. McGregor,
American Vets Abatement Experts, LLC office is located at 965 Hartford Turnpike. There are approximately 10 owners and employees that attend the business on a daily basis and the customers typically do not visit the office as this business does not provide retail services. In my opinion, this business is a low traffic generator and there is ample sightline in both directions. The proposed zone change will not have a major impact the traffic generated at this site.

Feel free to contact me if you have any questions.



Mark A. Peterson P.E.

JACOBS, WALKER, RICE & BARRY, LLC

ATTORNEYS AT LAW

146 MAIN STREET

MANCHESTER, CONNECTICUT 06042

TELEPHONE (860) 646-0121

FAX (860) 645-6229

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MICHAEL J. RICE

DAVID M. BARRY, JR.

MARIA K. TOUGAS

GREGORY W. MCCracken

ALEXANDRA B. BOWEN

BRUCE P. FADER

LEONARD JACOBS (RETIRED 2017)

RONALD JACOBS

1927-2017

15 NORTH MAIN STREET

SUITE 100

WEST HARTFORD, CT 06107

May 6, 2020

Town Clerk
Vernon Town Hall
14 Park Place
Vernon, CT 06066

Re: Zone Change Application – Commercial (C) to Industrial to (I)
Applicant: A.Vets Real Estate, LLC
Properties: Property No. 1 - 965 Hartford Turnpike
Property No. 2 - Portion (0.42 acres) of 933 Hartford Turnpike (located to rear of Property No. 1)

To Whom It May Concern:

Pursuant to the Connecticut General Statutes at section 8-3(a), please find attached a full size map or plan entitled, "Data Accumulation Plan Zone Change Map From Commercial To Industrial Zone Prepared For A. Vets Real Estate LLC 933 & 965 Hartford Turnpike Vernon, Connecticut Gardner & Peterson, LLC Tolland, Connecticut Date 04-15-2020 Sheet No. 1 of 1" ("Map"). I please ask that this Map be filed for public inspection pursuant to Connecticut General Statutes section 8-3(a).

Property No. 1 and Property No. 2 are shown on the Map as, "American Vets Real Estate, LLC 965 Hartford Turnpike MBL 26-0072-0031H" and "Land Of JAJL LLC To Be Conveyed To And Combined With Land of A. Vets Real Estate LLC 0.42," respectively. These parcels are the subject of the Zone Change Application submitted to the Vernon Planning & Zoning Commission. To date, a public hearing on this Application has not been scheduled.

I would appreciate that you acknowledge your receipt of this letter and the Map by completing the attached Receipt For Documents Submitted For Public Inspection, and mail it to me in the enclosed, self-addressed envelope, with postage prepaid. If you are able, and it is not inconvenient, please email the completed Receipt form to bfader@jwrbc.com.

JACOBS, WALKER, RICE & BARRY, LLC

Please do not hesitate to contact me if you have any questions.

Thank you.

Respectfully,
JACOBS, WALKER, RICE & BARRY, LLC

A handwritten signature in black ink, appearing to read "Bruce Fader". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Bruce Fader

Attachments

Cc: George McGregor, Town Planner

USE THIS FORM ONLY IF THE REQUIREMENTS OF
8.3(a)/22-a-42a(b) OF THE C.G.S. MUST BE MET

RECEIPT FOR DOCUMENTS SUBMITTED FOR PUBLIC INSPECTION

TO: VERNON TOWN CLERK
FROM: Attorney Bruce Fader, for A.Vets Real Estate, LLC
REFERENCE: ZONE CHANGE Application to PZC
DATE: MAY 6, 2020

The attached documents, consisting of:

Zone Change Map, with cover letter.

Are being submitted for public inspection under CGS 8-3(a)/22a-42a (b).

Received: _____

Vernon Town Clerk _____
Signature

Date: _____

Posted 5/15/20
JD

USE THIS FORM ONLY IF THE REQUIREMENTS OF
8.3(a)/22-a-42a(b) OF THE C.G.S. MUST BE MET

RECEIPT FOR DOCUMENTS SUBMITTED FOR PUBLIC INSPECTION

TO: VERNON TOWN CLERK
FROM: Attorney Bruce Faxon, for A.Vets Real Estate, LLC
REFERENCE: Zone Change Application to PZC
DATE: May 6, 2020

The attached documents, consisting of:

Zone Change Map, with cover letter.

Are being submitted for public inspection under CGS 8-3(a)/22a-42a (b).

RECEIVED
VERNON TOWN CLERK
20 MAY 11 PM 12:38

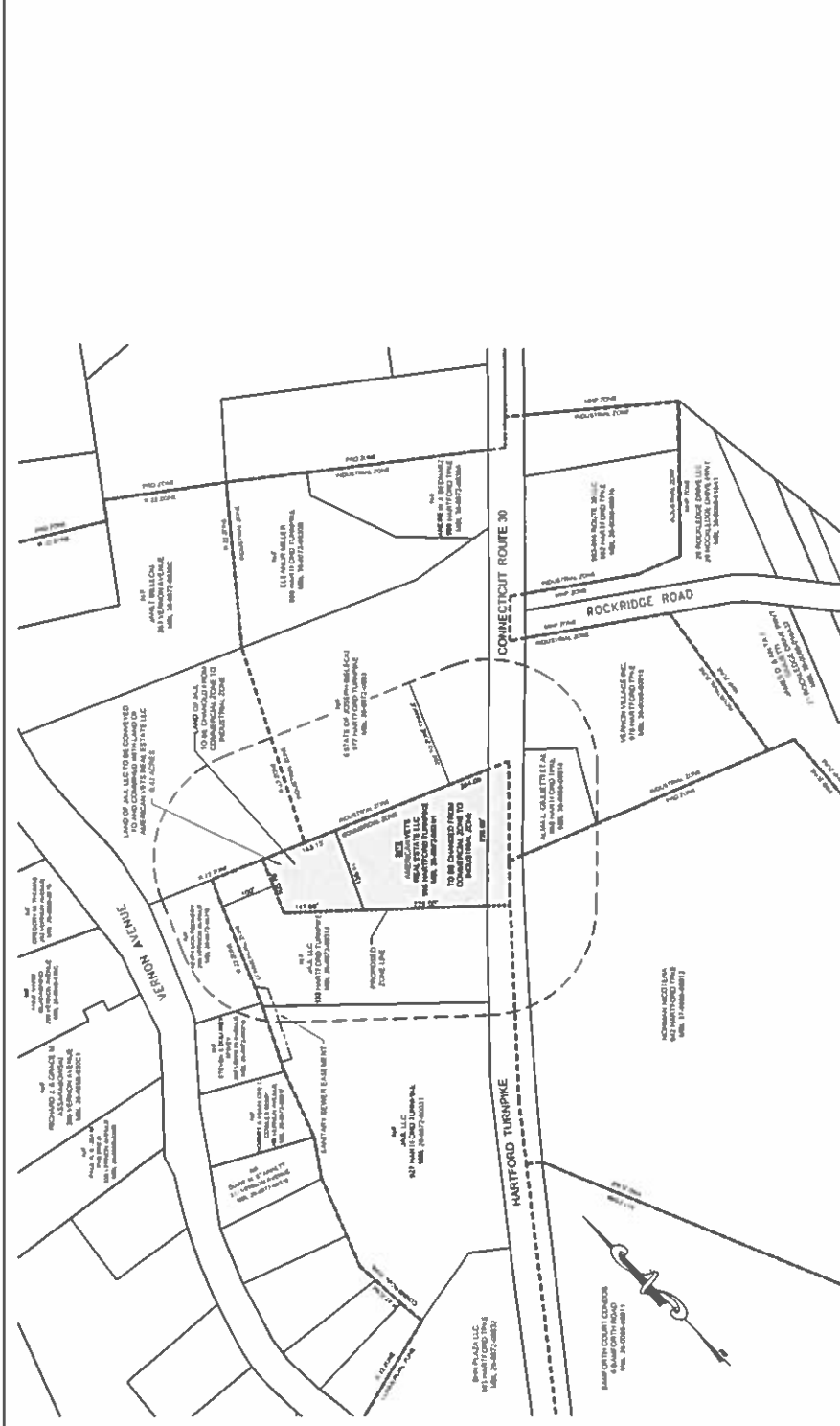
Received: Zone change map.

Vernon Town Clerk

[Signature]
Signature

Date: 5/11/2020

See Town clerk for full text.



LEGEND

BOUNDARY

ZONE CHANGE

EXISTING ZONE BOUNDARY

DATA ACCUMULATION PLAN ZONE CHANGE MAP FROM COMMERCIAL TO INDUSTRIAL ZONE PREPARED FOR AMERICAN VETS 933 & 965 HARTFORD TURNPIKE VERNON, CONNECTICUT GARDNER & PETERSON ASSOCIATES, LLC 175 JAFFE DRIVE, SUITE 100 WATERBURY, CONNECTICUT 06705	
BY	DATE
SCALE	DATE
BY	DATE
MAP NO.	MAP NO.
10712	10712

NOTES:

1. The map was prepared using the information as furnished by the client. The client is responsible for the accuracy of the information furnished.
2. The map was prepared using the information as furnished by the client. The client is responsible for the accuracy of the information furnished.
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10. The map was prepared using the information as furnished by the client. The client is responsible for the accuracy of the information furnished.



STAFF COMMENTS
(PZ-2020-07)



55 West Main St., VERNON, CT 06066
(860) 870-3640
gmcgregor@vernon-ct.gov

TO: Town of Vernon Planning and Zoning Commission

FROM: George K. McGregor, Town Planner

SUBJECT: Staff Report: PZ-2020-07, 933(p) and 965 Hartford Tpke.

DATE: June 4, 2020

[illegible]

Zone Change Map

Existing Zoning



The surrounding area offers a mix of zoning districts as well as a mix of existing uses. Commercial zoning (light blue) on the north side of Hartford Tpke. continues south to the intersection of Vernon Ave. Industrial Zoning (in dark blue) is adjacent to the north and across Hartford Tpke. There is a significant amount of residential zoning and existing residential uses (in shades of green on the map below) in the vicinity.

Commercial Zoning is designed to support a broad array of retail, business, and other service uses, both neighborhood supporting and destination oriented, depending upon the location and intended market areas. The primary difference in a change to Industrial is that manufacturing, warehousing, outdoor storage, processing, fabricating, and other like uses would be permitted or permissible. Although the Applicant is requesting a change to permit the contractors office with outdoor storage areas, any use listed in the Industrial Zone would be available to the current or future owners.

Plan of Conservation and Development

Section 8-3(b) of the Connecticut General Statutes prompts a planning commission to consider the Plan of Conservation and Development (POCD) when reviewing a proposed zone change. The commission shall state its findings on consistency of the proposed change with the POCD. The POCD designates the subject parcels (circled to the right) as Commercial, essentially following the underlying zoning designation.

According to the text of the POCD, these are "areas that have developed or are intended to develop for commercial uses" (p. 118). The immediately adjacent parcels to the north, shown in a light purple, are areas the POCD considers supportive of Industrial uses. Beyond those areas, in green (and brown), are areas planned for residential uses, at varying densities.



Conformity to the Comprehensive Plan

Section 8-2 of the General Statutes provides that zoning regulations “shall be made in accordance with a comprehensive plan.” The basic purpose in requiring conformity with a comprehensive plan—essentially the zoning ordinance and zoning map—is to prevent the arbitrary, unreasonable and discriminatory exercise of the zoning power. The requirement of conformity to a comprehensive plan serves as an effective brake upon spot zoning.¹ A community’s comprehensive plan evolves from the history of zoning in the town by the zoning commission, as reflected in the zoning regulations and zoning map. It is not to be confused with the plan of conservation and development, which is a planning concept within the exclusive control of the planning commission and is a blueprint for recommended future development of the community.²

Analysis and Recommendation

The Hartford Tpke. Corridor, from Vernon Ave. to Grove St. lacks any particularly defining characteristics. A broad mix of zoning districts, developed over decades, ensures this. The Future Land Use Map of the POCD supports Commercial uses on the subject parcels. Yet, immediately adjacent are parcels planned for Industrial uses. Existing zoning and existing uses in the area are mixed with commercial, industrial, vacant, and residential uses. This conflicting variety of land uses makes it difficult to easily support or reject any zone change request. However, the Planning Commission has an opportunity here to clarify the longer-term vision of how this portion of Hartford Tpke should grow or change over time. Is this a corridor that welcomes a variety of competing land uses, compatible or not? Or, is a more concentrated, retail and service-oriented commercial focus, supportive of nearby residential uses, a more desirable approach?

The POCD is crafted to help the Town of Vernon direct future development in order to achieve a desired outcome. Too much deference to an existing land use pattern or existing zoning makes it difficult to achieve future land use aspirations. In the Town’s built-out condition, these questions will come in fits and starts, as individual parcels, most of the time. In this application, that is the fundamental question: what uses does the Plan favor and what is the Commission’s vision for the area?

DRAFT Motions

Moved, The Planning and Zoning Commission Approve PZ-2020-07, 933 (a portion) and 965 Hartford Tpke. based on a finding that the request is generally consistent with the Plan of Conservation and Development and generally conforms to the comprehensive plan of the Town of Vernon.

OR

Moved, The Planning and Zoning Commission Deny PZ-2020-07, 933 (a portion) and 965 Hartford Tpke. based on a finding that the request does not conform with the Plan of Conservation and Development, as the POCD identifies the subject parcels for Commercial Uses, NOT Industrial Uses, according to the Future Land Use Plan.

Attachments (Zone Change Map, Zoning Map. POCD Map)

¹ Connecticut Land Use Law and Practice, Third Edition, Volume 9, 2007, § 4:3, pp. 62 & 63.

² Connecticut Land Use Law and Practice, Third Edition, Volume 9, 2007, § 4:4, pp. 65 & 66.

APPLICATION REVIEW COMMENTS

FROM: amarchese@vernon-ct.gov

TO: _____

DATE: 05/12/2020

APPLICANT: A VETS REAL ESTATE LLC

PROJECT: American Vets

LOCATION: 965 HARTFORD TPKE and 933 HARTFORD TPKE

My comments in regard to the application submitted to the Inland Wetland Commission (IWC) and/or Planning & Zoning Commission (PZC) are:

_____ NO COMMENT

_____ COMMENTS ATTACHED

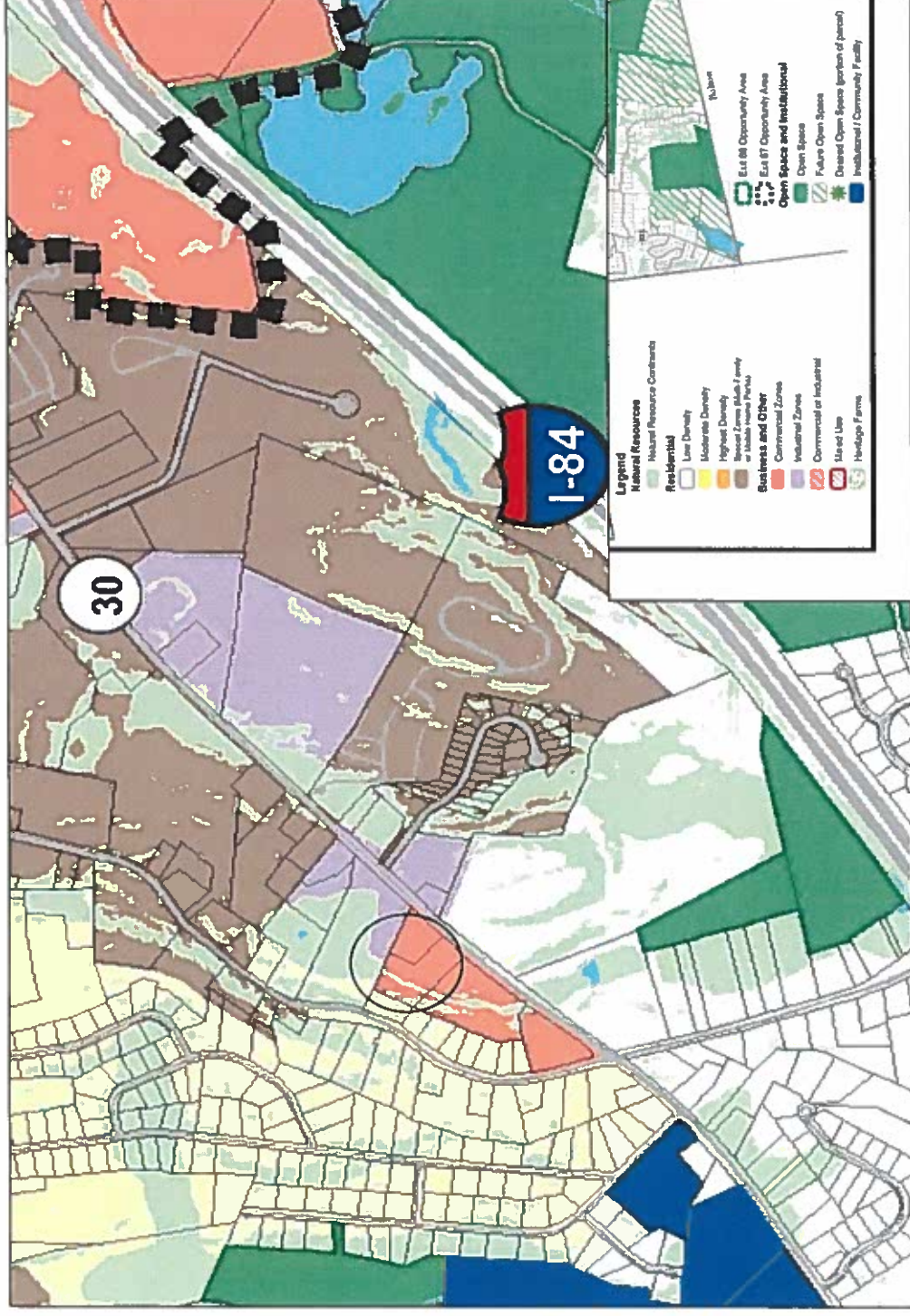
_____ PLEASE NOTE THE FOLLOWING COMMENTS:

The current business American Vets located at 965 Hartford Turnpike is not permitted to operate in the commercial zone. A zone change to the Industrial zone would allow for the business to operate at this address with PZC site plan approval. The parcel appears to meet the zoning requirements to be zoned Industrial.

SIGNATURE: _____

DATE: _____

2012 Plan of Conservation and Development



PZ-2020-07 933(p) & 965 Hartford Tpke. Zoning Map

